

FRANKLIN COUNTY AREA PLAN COMMISSION
MEMORANDUM & MINUTES
COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203
JUNE 9, 2021

THOSE PRESENT; Ruthie Mannix, president (zoom), Robert Braun, vice-president; Ed Derickson, Connie Rosenberger (zoom), Christine Rains, Rob Seig, Emily Ruffier (zoom). Also present were Tammy Davis, Commission Attorney; Cindy Orschell, Executive Director; Glenn Bailey, Recording Secretary.

PLEDGE OF ALLEGIANCE

ROLL CALL

Minutes of May 12, 2021- Bob Braun asked if there were any additions/corrections to the minutes. Rob Seig brought up several typos and rewording to better reflect what actually was said and done. Bob Braun asked to have the motion taken out concerning Lecher Sawmill Plan. Ed Derickson had a typo also. Bob Braun asked for a motion to accept the minutes with corrections. **Motion-**Ed moved to accept the minutes, Rob Seig 2nd. AIF

UNFINISHED BUSINESS-Rob Seig detailed the changes he is seeking for an ordinance or amendment to address subdivision stormwater control. Rob Seig had looked at what other counties and municipalities to see what they are doing on this matter. Rob Seig is trying to see to it that Franklin County has requirements in place to avoid trouble later on. Rob Seig explained the difference between a small development where a family divides up land for children to build-on versus large subdivision where roads, manholes and culverts are necessary to handle the ground water. Rob Seig sees this as a macro versus micro issue. Smaller changes to the land do not require as much planning for ground water since they can cause less runoff than crop planting. Large subdivisions end up converting more area into causing runoff with paved streets more area under roof and so forth. As a result of more regulations, engineering and enforcement is needed.

Ed Derickson asked about perimeter around the houses. Rob Seig said that was an issue for zoning. Ed Derickson then asked about tying in perimeter drains from houses or having cleanouts. Rob Seig replied that is about design plans. This would ultimately require setbacks from retention/detention measures.

Ed Derickson then said what Rob is talking about is more for a town like Brookville or Batesville, where architects design stormwater drainage. Rob Seig said there are design specifications for drainage, catch basins and funneling the water to same.

Ed Derickson asked about who is in charge of enforcement? He didn't feel zoning could deal with all this. Rob Seig said he would work with engineers etc. to be sure it is done properly. Bob Braun felt it was a good proposal Rob had put forward and that he is willing to volunteer to oversee its implantation. Tammy Davis suggested the Franklin County Commissioners pass the subdivision stormwater control ideas as an ordinance because it will allow changes from time-to-time better than an amendment could. Tammy said this is how other counties have handled it. Ruthie Mannix said Commissioners have more resources than APC, which lacks expertise and ability to enforce. Tammy Davis said as an ordinance it can be changed and amended easier. Bob Braun asked if there was any more discussion. Christine Rains how this effects small divisions among families. Rob Seig gave an example pointing out it would be for bigger developments, not family subdividing. Ed Derickson asked if minimum/maximum distances for manholes should be in the ordinance, as well as when water changes directions. Rob Seig said that is exactly what is in the proposal. Sara Duffy asked if this was a public hearing as she had a couple of comments. After Tammy Davis replied yes Sara said "Thanks to Rob Seig" and " Recommendation should have technical review where either

county or APC could hire those with expertise to review". Rob Seig said thanks to Sara and that hiring others to review is what other counties do and they add a fee to cover expenses.

Ruthie Mannix asked about a motion and a recommendation, Tammy Davis said for APC to either send an unfavorable for the APC to take on the proposal and a favorable recommendation for the Commissioners to adopt it as an ordinance could be in order. Rob Seig made a motion for an unfavorable recommendation as far as the APC zoning amendment goes and a favorable recommendation for the County Commissioners to make the proposal an ordinance concerning water subdivision control. Ruthie Mannix 2nd. Bob Braun asked for any more discussion? Ed Derickson followed up with the minimum /maximum distance for manholes, Rob Seig didn't think there was a minimum in Batesville and that the general rule was to do what was needed to get the runoff away most efficiently. Ed Derickson asked about hiring experts. Rob Seig said a licensed P.E., architect or surveyor with experience in the area would be sufficient. Rob Seig said he had a civil engineer degree.

MOTION-Rob Seig made a motion to send an unfavorable recommendation for the APC to add this proposal to the Citizens Zoning Code and a favorable recommendation to the Commissioners to accept as an ordinance for stormwater subdivision control with the ability to hire experts as needed. Ruthie Mannix 2nd. AIF. MC.

FINE DISCUSSION- Tammy Davis suggested discussing fines that might need to be raised to light a fire under violators. She would ask Grant Reeves about a \$500.00 flat fee, Tom Wilson (Commissioner) had talked to her about it also. She wondered how the APC felt? Bob Braun doesn't want a large \$2,500.00 a day but thinks \$500.00 would be okay. Tammy Davis said she is not sure what other counties do but she will look into it and offer suggestions. Ruthie Mannix stated it is frustrating, there are no teeth in the ordinance. Bob Braun brought up an old case where APC had to pay for a dumpster and then garnish wages, but it worked. Ruthie Mannix referred to the same and said if it weren't for fines it wouldn't have been cleaned up. Let's have Tammy look into it. Bob Braun we should pass on court cost as well. Tammy Davis said we have two we are working on now, I'll look into it, \$500.00 doesn't cover much. She will get with Grant Reeves and give ideas in July. Bob Braun so when could we see an ordinance? Tammy Davis in a month, discuss how to do it and do we do it through taxes? Christine Rains said if we get \$500. not really a big enough deterrent and need a set time when if not met more fines. Tammy Davis all this would have to be spelled out as well. Rob Seig said to increase penalty over time. Bob Braun said we would need to reimburse county if it has to clean up violation. Christine Rains said maybe charge elderly less, Tammy said we can't do that it would discriminate, people need to call and work it out. Tammy Davis said if they call we will work with them. Christine Rains stated that some just take advantage, Bob added it takes forever, especially when an owner is in jail. Tammy Davis said we had to do that once, and when he got out, he got on it. She said some have no contact with her or APC. We have to sometimes do certified mail and get the sheriff involved. Tammy Davis restated she will get with Grant Reeves and come up with something.

Ruthie Mannix said let's talk about some of Cindy Orschell's ideas. Cindy mentioned the cost of public notices for the stormwater notice it cost \$178.00, and the planned business district where a landowner wants a permit to build a home. Ruthie Mannix said both were worth talking about in July.

VIOLATION REPORT -Bob Braun asked if there was anything else? Cindy Orschell had contact with the owner and renter on the issue on Silver Creek Road. Bob Braun asked if any change. Cindy stated some improvement. Bob Braun asked how long before it is taken care of. Tammy Davis said not sure he was contacted. Bob Braun said then it is not our problem, what do you think Board? Tammy Davis asked if she should send another letter. Bob Braun said he would love it. Sara Duffy asked about the violation on Silver Creek Road and St. Peter's Road. Cindy Orschell responded with both are regarding cars and car parts.

MOTION- Rob Seig made a motion to adjourn, Christine Rains 2nd. AIF. MC. Meeting adjourned at 8:25pm